

Remark

Applicants respectfully request reconsideration of this application as amended.

Claims 4 and 10 have been amended. Claims 2, 17, and 24 have previously been canceled. Therefore, claims 1, 3-16, 18-23 and 25-30 are now presented for examination.

35 U.S.C. §112 Rejection

The Examiner has rejected claims 16-22 under 35 U.S.C. §112, first paragraph, as failing to comply with the enablement requirement. The Examiner writes that there is inadequate support for "an article of manufacture comprising a computer readable medium including a content that when read by a computer causes the computer to..." These claims are amended to remove the reference to a machine-readable medium. They are now directed to a network processor microengine, hardware that is described in the specification. Such a structure was pointed out to the Examiner in previous remarks, notable in paragraphs 13 and 14 of the present specification.

The Examiner has noted that, according to the specification, the processes described in the specification may be implemented in hardware logic or in software. As to the Examiner's suggestion that "it is not always true that these types processors required software to run its functions," this is not directly related to the present issue. The claims may be directed to only one of two possible embodiments described in a specification. Accordingly, the question is not whether it is "always true" that the invention requires software, but rather whether the specification enables an embodiment that can be implemented in software. Clearly the processors can run software, just as

they can alternatively implement hardware logic. The software alternative is the focus of Claims 16 *et seq.*

35 U.S.C. §103 Rejection

Chen and Lodha

The Examiner has rejected claims 1, 2, 4-6, 9-13, 15-19, 21-24 and 26 under 35 U.S.C. §103 (a) as being unpatentable over Chen et al., U.S. Patent No. 6,975,638 ("Chen"), in view of Lodha, U.S. Patent No. 7,330,430 ("Lodha"). Lodha is newly cited.

The claims are further amended to recite additional details. These include classifying into flow bundles based on a destination and path and then mapping the packets into queues so that all the packets in a in a queue belong to the same flow bundle.

Such a combination of features is not present in any of the references and would not be obvious to combine in just the manner recited in the claims. Such a combination would defeat the purpose of many of the references.

35 U.S.C. §103 Rejection

Chen, Lodha and Hooman or Duffield

The Examiner has rejected the remaining claims under 35 U.S.C. §103 (a) as being unpatentable over Chen, Lodha, and in further view of Hooman et al., U.S. Patent No. 7,155,716 ("Hooman") or Duffield et al., U.S. Patent No. 6,452,933 ("Duffield").

These rejections rely on the Chen rejection discussed above and are traversed on the same grounds, *inter alia*.

Conclusion

Applicants respectfully submit that the rejections have been overcome by the amendment and remark, and that the claims as amended are now in condition for allowance. Accordingly, Applicants respectfully request the rejections be withdrawn and the claims as amended be allowed.

Invitation for a Telephone Interview

The Examiner is requested to call the undersigned at (303) 740-1980 if there remains any issue with allowance of the case.

Request for an Extension of Time

Applicants respectfully petition for an extension of time to respond to the outstanding Office Action pursuant to 37 C.F.R. § 1.136(a) should one be necessary. Please charge our Deposit Account No. 02-2666 to cover the necessary fee under 37 C.F.R. § 1.17(a) for such an extension.

Please charge any shortage to our Deposit Account No. 02-2666.

Respectfully submitted,
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